

**REMARKS**

As a preliminary matter, the specification is objected to based on the reasons set forth on pages 3-6 of the present Office Action. Applicants amend the specification, as indicated herein, and Applicants believe that these amendments obviate the Examiner's objections to the specification.

Claims 1-6 are all the claims pending in the present application. The Examiner now applies new references to support the rejections of claims 1-6. Specifically, claims 1 and 4 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Feldman (U.S. Patent No. 6,393,000) in view of Wright et al. (U.S. Patent No. 6,512,749). Claims 2, 3, 5 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Feldman in view of Thiesfeld (U.S. Patent No. 6,529,971).

**§103(a) Rejections (Feldman / Wright) - Claims 1 and 4**

Claims 1 and 4 are rejected based on the reasons set forth on pages 6-7 of the present Office Action. Applicants traverse these rejections at least based on the following reasons.

Brief description of the references are as follows.

Feldman is directed to a network station that receives a principal signal and data. When the principal signal is present or contains information it is transmitted to a receiving station through a communications channel. When the principal signal is absent or does not have significant information content, the network station transmits the data through the same communications channel in a format such that the data is received and output by a further receiving station. *See Abstract of Feldman.*

Wright is directed to communication satellite downlink transmitting and reception techniques. Such transmitting and reception techniques include circuitry which groups a

predetermined number of data cells with a predetermined error correction code to generate frame bodies. The circuitry also groups the frame bodies with header symbols and trailer symbols to generate data frames. One or more modulators enable the placement of the modulated data frames into a plurality of frequency bands having a predetermined frequency range and a predetermined transmission rate. One or more antennas transmit the modulated data frames over one or more beams with different forms of polarization to other antennas. A demodulator is connected to demodulate the radio carrier signals and the beams into data frames from a plurality of frequency bands. Decoders are connected to decode the frame bodies with header symbols and with trailer symbols from the data frames, and to decode four data cells as a group by using a predetermined error correction code. *See Abstract of Wright.*

With respect to independent claim 1, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, “a receiver (R) adapted to receive an information stream consisting of information cells, some of which can be empty,” and “a mixer (M) adapted to detect the empty information cells and replace them with waiting cells,” as recited in claim 1 (emphasis added). The Examiner alleges that the silence codes discussed in Feldman allegedly satisfy the claimed empty cells recited in the above-quoted features of claim 1. However, the silence codes do not correspond to empty cells. A silence code can be issued to reproduce silence or low level noise during a voice communication, when the principle signal is a voice signal. However, the silence code does not denote an empty cell.

Further, claim 1 recites that a relay comprises the claimed receiver, mixer, transmitter, and stream analyzer. The Examiner alleges that the network station 4 of Feldman corresponds to the claimed relay. However, the Examiner is being inconsistent in alleging that the comparator 25 allegedly corresponds to the claimed stream analyzer, as the network station 4 does not

comprise the comparator 25; on the other hand, the claimed relay comprises, among other things, the stream analyzer.

Yet further, Applicants submit that the applied references do not disclose or suggest at least, "wherein said relay further comprises a stream analyzer for determining if an information stream received by said receiver is a real-time information stream or a differed-time information stream cells in a mass memory and in that said mixer is adapted to choose said waiting cells from among the cells stored in said mass memory," as recited in claim 1. The Examiner does not even mention determining whether an information stream received by a receiver is a real time information stream or a differed-time information stream. Further, upon Applicants review of the applied references, the above quoted feature of claim 1 is not satisfied by the applied references.

Therefore, at least based on the foregoing, Applicants submit that claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Applicants submit that independent claim 4 is patentable at least based on reasons similar to those set forth above with respect to claim 1.

§103(a) Rejections (Feldman/Thiesfeld) - Claims 2, 3, 5 and 6

Applicants submit that these dependent claims are patentable at least by virtue of their respective dependencies from independent claims 1 and 4. Thiesfeld does not make up for the deficiencies of Feldman<sup>1</sup>.

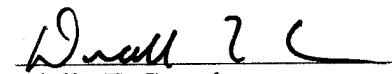
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<sup>1</sup> If the Examiner intended to reject claims 2, 3, 5, and 6 over the combination of Feldman, Thiesfeld, and Wright, Applicants respectfully request that the Examiner issue a new non-final Office Action indicating the correct rejections. This Amendment is based on claims 2, 3, 5 and 6 being rejected only over Feldman and Thiesfeld.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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